

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF MISSOURI**

In Re: David A. Jackson) Case No. 22-40239-drd13
Shirley J. Jackson)
Debtors)

RESPONSE TO MORTGAGEE'S MOTION FOR RELIEF FROM STAY

COME NOW Debtors, David & Shirley Jackson, by and through Counsel, and for this Response to the Motion for Relief from Automatic Stay (Doc. #118; the "Motion") filed by the mortgagee, Deutsche Bank National Trust Company, as Trustee, in trust for registered Holders of Long Beach Mortgage Loan Trust 2006-9, Asset-Backed Certificates, Series 2006-9 (the "Mortgagee"), state that:

1. Debtors' on-going mortgage is being paid through the Plan since the onset of this Case.
2. Debtors have applied for the Missouri Housing Assistance Fund (the "HAF") in order to have pre-Petition arrears due on their mortgage paid outside the Plan. Debtors believe they will receive assistance once the Mortgagee responds to HAF's default verification inquiries.
3. If needed, Debtors are amenable to increasing and or suspending Plan payments so that the mortgage arrears are cured within the life of the Plan.
4. The Mortgagee's Motion cites a default of \$9,875.90 (the "Default") through February 2023.
5. The Mortgagee's Motion cites that there is approximately \$5,535.12 in a Suspense account but fails to state if these Suspense account funds can be applied to the Default as this account is only noted in the Total Pay Off section of the Motion.
6. Debtors believe that the Trustee disbursing a portion, or all of, the \$5,049.82 in on-hand funds noted in the Trustee's Objection (Doc. #121), plus moving the aforesaid Suspense account funds to the mortgage principal would bring the mortgage within 3 months delinquency.
7. In light of the above, Debtors request the Motion be denied.

WHEREFORE, Debtors pray the Court to for an order(s) directing the Chapter 13 Trustee to disburse as much in on-hand funds possible to the Mortgagee's Proof of Claim, for the Mortgagee to move Suspense Account funds and apply them to the mortgage's principal balance, for the Motion by the Mortgagee to be denied, and for such other relief as the Court deems equitable and proper.

Dated: March 13, 2023

Respectfully submitted,
WM Law

/s/ Jeffrey L. Wagoner

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ATTORNEY FOR DEBTORS

CERTIFICATE OF SERVICE

I hereby certify that on March 13, 2023, the foregoing was delivered via e-mail to the parties listed below that are registered to receive electronic filings on ECF, and regular first class, postage prepaid to the parties listed below that are not registered to receive electronic filings on ECF.

/s/ Jeffrey L. Wagoner